

#2/R #18/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

03/	JC829
124/9	U.O.
•	Old

Anticipated Classification Prior Application:
of this Application: Exam'r: Sean McGarry

Attorney's

Docket No.: Enz-56(Div4)

Class _____ Subclass __

Group Art Unit: 1809

FILED BY EXPRESS MAIL

Hon. Commissioner of Patents and Trademarks Washington, D.C. 20231
BOX FWC (if under §1.62)

Sir:

This is a request for filing a CONTINUATION _X DIVISIONAL	
CONTINUATION-IN-PART application under X 37 CFR §1.60 37 CFR	3
§1.62, of pending prior application Serial No. 08/822,963 filed on March 21,1997	of
Dakai Liu et al.	
Inventor(s)	

for:

VECTORS AND VIRAL VECTORS, AND PACKAGING CELL LINES FOR PROPAGATING SAME

Title of Invention

1. ___X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.

2. X A copy of the verified statement under 37 CFR §1.9 and §1.27 establishing small entity status in the prior application is enclosed. Small entity status is still applicable.

3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT									
					RA ⁻	TE		F	EE
	Number Filed		Number Extra		Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	1	II	0	x	\$ 11	\$ 22	=	\$ 0	\$
Independent Claims	1	H	0	x	\$ 41	\$ 82	Ш	\$ 0	\$
Multiple Dependent Claims Presented:YesXNo				\$135	\$270		\$ 0	\$	
If the difference in Col. 1 is less than zero, enter "0" in Col.2					BASIC FEE		\$395	\$790	
						TOTAL FEE		\$395	\$

Attorn y's Docket No. Enz-56(Div4)

EXPRESS MAIL CERTIFICATE

"Express Mail" Label No. EM366566562

Deposit Date MARCH 24, 1998

I hereby certify that this paper and the attachments herein are being deposited with the United States
Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indigated above and is addressed to the Commissioner of Patents and Tradomerks, Washington DC 20231

Ronald C. Fedus

Reg. No. 32567

Dakai Liu et al.

Filed: Herewith

Serial No.: Not Yet Assigned

			March 24, 1998)
	4.	X	The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A duplicate copy of this sheet is enclosed.
		X	Any additional filing fees required under 37 CFR §1.16.
		X	Any patent application processing fees under 37 CFR §1.17.
	5.	X	The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. <u>05-1135</u> . A duplicate copy of this sheet is enclosed.
			X Any patent application processing fees under 37 CFR §1.17 The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b). Any filing fees under 37 CFR §1.16 for presentation of extra claims.
	6.		A check in the amount of \$ is enclosed.
	7.	_X	Cancel claims 2-67
	NGB.	_X	Amend the specification by inserting before the first line of the sentence: This is a continuation, X divisional, continuation-in-part, of application Serial No. 08/822,963, filed on March 21, 1997
	9.		Transfer the drawings from the prior application.
	10.	X	Informal X Formal drawings are enclosed.
	11.	X	Abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
	12.		Priority of application Serial No filed on is claimed under 35 U.S.C. §119. The certified copy of the priority application has been filed in prior application Serial No, filed
	13.	X	The prior application is assigned of record to Enzo Therapeutics, Inc., c/o Enzo Biochem, Inc., 527 Madison Avenue, New York, New York 10022. [A copy of the originally submitted Assignment and the Notice of Recordation are enclosed herewith.]

A preliminary amendment is enclosed.

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14.



Dakai Liu et al.

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15.	<u> </u>	The power of attorney in the prior application is to: Ronald C. Fedus, Reg. No. 32,567, and John J. Santalone, Reg No. 32, 794.					
		(a)	The power appears in the original papers in the prior application.				
		(b)	Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.				
		(c)	A copy of a new substitute power of attorney is enclosed.				
		(d) <u>X</u>	Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)				
			Ronald C. Fedus, Esq. Enzo Therapeutics, Inc. c/o Enzo Biochem, Inc. 527 Madison Avenue (9th Floor) New York, New York 10022				
16.		Also accompanying this Request is a Petition to Revive An Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b).					
17.	<u>X</u>	I hereby verify that the attached papers are a true copy of prior application Serial No. <u>08/822,963</u>					
18.		date that a under No. 16 accompanyii Application le tition fee t	application (Serial No) was a lly abandoned after, which was the, which was the, was originally due. As noted above, this Request For a Divisional Application is not the Petition to Revive an Unintentionally abandoned Under 37 C.F.R. § 1.137(b), along with the requisite herefor. With the expected granting of the Petition, the cation will be copending with the filing of this new plication				

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

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Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any/patent issuing thereon.

March 24, 1998 Date

Ronald C. Fedus
Registration No. 32, 567
Attorney for Applicants
______Inventor(s)

Assignee of Complete Interest
X Attorney or Agent of Record
Filed under 37 CFR §1.34(a)

Address of Signator:

<u>Enzo Therapeutics, Inc.</u>
<u>c/o Enzo Biochem, Inc.</u>

527 Madison Avenue (9th Floor)

New York, New York 10022

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